



## QUESTIONS FOR HUMAN RIGHTS REFEREE NOMINEE

By: Christopher Reinhart, Chief Attorney

### HUMAN RIGHTS REFEREES ([CGS § 46a-57](#))

- There are three human rights referees.
- They are appointed by the governor, with the advice and consent of both houses of the General Assembly, to serve three-year terms.
- They conduct settlement negotiations and hearings concerning discrimination complaints filed with the Commission on Human Rights and Opportunities (CHRO).
- At hearings, they may subpoena witnesses and compel their attendance, administer oaths, take the testimony of any person under oath, require the production for examination of any books and papers relating to any matter under investigation or in question, and determine a reasonable fee to be paid to an expert witness.

### QUESTIONS FOR THE NOMINEE

1. How many settlement negotiations and hearings have you conducted as a human rights referee?
2. What types of discrimination cases have you been involved in? From your experience with these cases, do you have any recommendations for changes in our laws or procedures?
3. What types of remedies are available to victims of discrimination? How should a referee determine and calculate damages?
4. In what ways have recent referee decisions shaped civil rights law in Connecticut?

5. The number of referees was reduced from five to three effective July 1, 2011. Is there a backlog of cases in light of this reduction? If so, what can be done to eliminate it?
6. A 2012 act ([PA 12-1](#), June 12 Special Session), moved CHRO from the Department of Administrative Services to the Department of Labor, for administrative purposes only. How has this move impacted referees? Have there been any difficulties?
7. How much control, influence, or authority should CHRO have over referees?
8. Should referees treat CHRO the same as everyone else when it is a party in a proceeding or should they give CHRO preferential treatment in any way?
9. In 2011, an act passed by the General Assembly (PA [11-55](#)) explicitly added discrimination based on gender identity or expression to the types of discrimination prohibited by state law. Has this impacted your workload? What do you think about expanding the classes of people protected under Connecticut law? Do you have any suggestions?
10. Is there tension between affirmative action and the laws prohibiting discrimination? If so, how is this tension reconciled?

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